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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,314	04/16/2004	Raymond J. Brosseau	3918-0162PUS1	7752

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EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/825,314	Applicant(s) BROSSEAU, RAYMOND J.	
	Examiner Carlos Lugo	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 5-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>attachment #1</u> . |

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on June 6, 2006.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-3 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 4,423,896 to Loomis in view of US Pat No 5,024,473 to McQuade.

Loomis discloses a hasp assembly comprising a hasp (70) having an intermediate portion and a terminal portion. The terminal portion has a tongue (72) in which is formed a passage (100).

A connector (60) having at least one branch in which a keyway is formed (101 and 102). The connector attached to a staple (28).

A key (170) is provided for removeably connecting the connector to the tongue. The key is adapted to be received in the passage and keyway. The key has a fastener to prevent the key from separating from the passage and the keyway.

However, Loomis fails to disclose that the fastener is selectively removable from the key and that has a resilient catch and that the key has an enlarged head and a enlarged fastener. Loomis discloses a different fastening means to prevent the key from separating from the passageway and the keyway (press fit).

McQuade teaches that it is well known in the art to have a hasp (58) that is connected to a connector (10) by means of a key member. The key has an enlarged head and an enlarged fastener that prevents the key from separating from the passageway and the keyway (see attachment #1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the hasp assembly described by Loomis with a key and a fastener, as taught by McQuade, in order to easily separate the two member in order to fix any problem.

4. **Claim 4 is rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 4,423,896 to Loomis in view of US Pat No 5,024,473 to McQuade as applied to claim 3, and further in view of US Pat No 5,127,687 to Guiler.

Loomis, as modified by McQuade, fails to disclose that the key is resilient. At the instant, the key described by Loomis, as modified by McQuade is capable of being resilient.

However, Guiler teaches that it is well known in the art to provide a key member (10) that is resilient.

It would have being obvious to one having ordinary skill in the art at the time the invention was made to manufacture the key member described by Loomis, as modified by McQuade, as a resilient key member, as taught by Guiler, in order to prevent any permanent deformation of the key member (be capable of restore to the original form).

Response to Arguments

5. Applicant's arguments with respect to the previous rejection of the claims in view of Loomis, as modified by Guiler, have been considered but are moot in view of the new ground(s) of rejection.

The applicant argues that it would not be obvious to combine the teachings of Guiler into the hasp assembly described by Loomis (Page 8 to Page 10).

At the instant, the only limitation that Loomis fails to disclose is the use of a removable key to connect the hasp and the connector having an enlarged head and fastener.

The applicant argues that because the key 100 is welded or held by friction, it is not capable of being removable. At the instant, the key member (100) described by Loomis is capable of being removed (with a tool).

McQuade is used to teach that it is well known in the art to provide a removable key member to attach a hasp to a connector (attachment #1).

The applicant is reminded that the separation of elements, where removability would be desirable, is a design consideration within the skill of the art. Therefore, the arguments are not persuasive.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

Art Unit: 3676

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

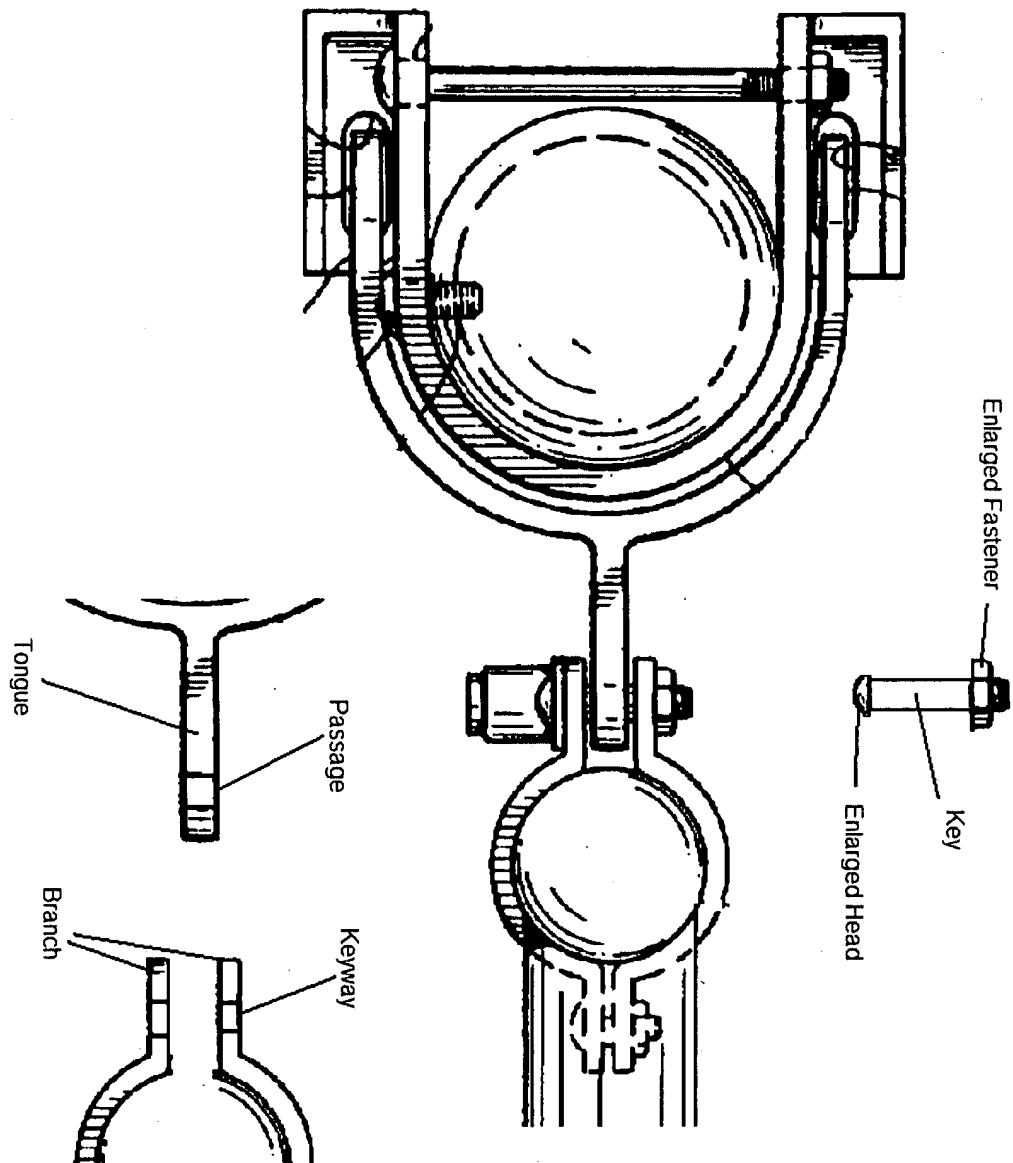
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.



Carlos Lugo
Patent Examiner AU 3676
August 2, 2006.



BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER



Attachment #1